

SECOND REGULAR SESSION

SENATE JOINT RESOLUTION NO. 26

98TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SILVEY.

Pre-filed December 1, 2015, and ordered printed.

ADRIANE D. CROUSE, Secretary.

4045S.02I

JOINT RESOLUTION

Submitting to the qualified voters of Missouri, an amendment repealing sections 2, 5, 7, 8, and 9, of article III of the Constitution of Missouri, and adopting five new sections in lieu thereof relating to the Missouri general assembly.

Be it resolved by the Senate, the House of Representatives concurring therein:

That at the next general election to be held in the state of Missouri, on
2 Tuesday next following the first Monday in November, 2016, or at a special
3 election to be called by the governor for that purpose, there is hereby submitted
4 to the qualified voters of this state, for adoption or rejection, the following
5 amendment to article III of the Constitution of the state of Missouri:

Section A. Sections 2, 5, 7, 8, and 9, article III, Constitution of Missouri,
2 are repealed and five new sections adopted in lieu thereof, to be known as
3 sections 2, 5, 7, 8, and 9, to read as follows:

Section 2. **Beginning with the one hundred second general**
2 **assembly**, the house of representatives shall consist of [one hundred sixty-three]
3 **one hundred twenty** members elected at each general election [and apportioned
4 in the following manner: Within sixty days after the population of this state is
5 reported to the President for each decennial census of the United States and, in
6 the event that a reapportionment has been invalidated by a court of competent
7 jurisdiction, within sixty days after notification by the governor that such a ruling
8 has been made, the congressional district committee of each of the two parties
9 casting the highest vote for governor at the last preceding election shall meet and
10 the members of the committee shall nominate, by a majority vote of the members
11 of the committee present, provided that a majority of the elected members is
12 present, two members of their party, residents in that district, as nominees for

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

13 reapportionment commissioners. Neither party shall select more than one
14 nominee from any one state legislative district. The congressional committees
15 shall each submit to the governor their list of elected nominees. Within thirty
16 days the governor shall appoint a commission consisting of one name from each
17 list to reapportion the state into one hundred and sixty-three representative
18 districts and to establish the numbers and boundaries of said districts.

19 If any of the congressional committees fails to submit a list within such
20 time the governor shall appoint a member of his own choice from that district and
21 from the political party of the committee failing to make the appointment.

22 Members of the commission shall be disqualified from holding office as
23 members of the general assembly for four years following the date of the filing by
24 the commission of its final statement of apportionment.

25 For the purposes of this article, the term congressional district committee
26 or congressional district refers to the congressional district committee or the
27 congressional district from which a congressman was last elected, or, in the event
28 members of congress from this state have been elected at large, the term
29 congressional district committee refers to those persons who last served as the
30 congressional district committee for those districts from which congressmen were
31 last elected, and the term congressional district refers to those districts from
32 which congressmen were last elected. Any action pursuant to this section by the
33 congressional district committee shall take place only at duly called meetings,
34 shall be recorded in their official minutes and only members present in person
35 shall be permitted to vote.

36 The commissioners so selected shall on the fifteenth day, excluding
37 Sundays and holidays, after all members have been selected, meet in the capitol
38 building and proceed to organize by electing from their number a chairman, vice
39 chairman and secretary and shall adopt an agenda establishing at least three
40 hearing dates on which hearings open to the public shall be held. A copy of the
41 agenda shall be filed with the clerk of the house of representatives within
42 twenty-four hours after its adoption. Executive meetings may be scheduled and
43 held as often as the commission deems advisable.

44 The commission shall reapportion the representatives by dividing the
45 population of the state by the number one hundred sixty-three and shall establish
46 each district so that the population of that district shall, as nearly as possible,
47 equal that figure.

48 Each district shall be composed of contiguous territory as compact as may

49 be.

50 Not later than five months after the appointment of the commission, the
51 commission shall file with the secretary of state a tentative plan of apportionment
52 and map of the proposed districts and during the ensuing fifteen days shall hold
53 such public hearings as may be necessary to hear objections or testimony of
54 interested persons.

55 Not later than six months after the appointment of the commission, the
56 commission shall file with the secretary of state a final statement of the numbers
57 and the boundaries of the districts together with a map of the districts, and no
58 statement shall be valid unless approved by at least seven-tenths of the members.

59 After the statement is filed members of the house of representatives shall
60 be elected according to such districts until a reapportionment is made as herein
61 provided, except that if the statement is not filed within six months of the time
62 fixed for the appointment of the commission, it shall stand discharged and the
63 house of representatives shall be apportioned by a commission of six members
64 appointed from among the judges of the appellate courts of the state of Missouri
65 by the state supreme court, a majority of whom shall sign and file its
66 apportionment plan and map with the secretary of state within ninety days of the
67 date of the discharge of the apportionment commission. Thereafter members of
68 the house of representatives shall be elected according to such districts until a
69 reapportionment is made as herein provided.

70 Each member of the commission shall receive as compensation fifteen
71 dollars a day for each day the commission is in session but not more than one
72 thousand dollars, and, in addition, shall be reimbursed for his actual and
73 necessary expenses incurred while serving as a member of the commission.

74 No reapportionment shall be subject to the referendum]. **Three state**
75 **representatives shall be elected from and run at large within each**
76 **legislative district. There shall be a separate election for each state**
77 **representative within a legislative district.**

Section 5. **Beginning with the one hundred second general**
2 **assembly,** the senate shall consist of [thirty-four] **forty** members elected by the
3 qualified voters of the respective **legislative** districts for four years. For the
4 election of senators, the state shall be divided into convenient **legislative**
5 districts of contiguous territory, as compact and nearly equal in population as
6 may be, **with one senator elected from each legislative district.**

Section 7. **Beginning with the one hundred second general**

2 **assembly**, within sixty days after the population of this state is reported to the
3 President for each decennial census of the United States, and within sixty days
4 after notification by the governor that a reapportionment has been invalidated by
5 a court of competent jurisdiction, the state committee of each of the two political
6 parties casting the highest vote for governor at the last preceding election shall,
7 at a committee meeting duly called, select by a vote of the individual committee
8 members, and thereafter submit to the governor a list of ten persons, and within
9 thirty days thereafter the governor shall appoint a commission of ten members,
10 five from each list, to reapportion the [thirty-four senatorial] **forty legislative**
11 districts and to establish the numbers and boundaries of said districts.

12 If either of the party committees fails to submit a list within such time the
13 governor shall appoint five members of his **or her** own choice from the party of
14 the committee so failing to act.

15 Members of the commission shall be disqualified from holding office as
16 members of the general assembly for four years following the date of the filing by
17 the commission of its final statement of apportionment.

18 The commissioners so selected shall on the fifteenth day, excluding
19 Sundays and holidays, after all members have been selected, meet in the capitol
20 building and proceed to organize by electing from their number a [chairman]
21 **chair**, vice [chairman] **chair**, and secretary and shall adopt an agenda
22 establishing at least three hearing dates on which hearings open to the public
23 shall be held. A copy of the agenda shall be filed with the secretary of the senate
24 **and the chief clerk of the house of representatives** within twenty-four
25 hours after its adoption. Executive meetings may be scheduled and held as often
26 as the commission deems advisable.

27 The commission shall reapportion the [senatorial] **legislative** districts by
28 dividing the population of the state by the number [thirty-four] **forty** and shall
29 establish each district so that the population of that district shall, as nearly as
30 possible, equal that figure; no county lines shall be crossed except when necessary
31 to add sufficient population to a multi-district county or city to complete only one
32 district which lies partly within such multi-district county or city so as to be as
33 nearly equal as practicable in population. Any county with a population in excess
34 of the quotient obtained by dividing the population of the state by the number
35 [thirty-four] **forty** is hereby declared to be a multi-district county.

36 Not later than five months after the appointment of the commission, the
37 commission shall file with the secretary of state a tentative plan of apportionment

38 and map of the proposed districts and during the ensuing fifteen days shall hold
39 such public hearings as may be necessary to hear objections or testimony of
40 interested persons.

41 Not later than six months after the appointment of the commission, the
42 commission shall file with the secretary of state a final statement of the numbers
43 and the boundaries of the districts together with a map of the districts, and no
44 statement shall be valid unless approved by at least seven members.

45 After the statement is filed senators **and representatives** shall be
46 elected according to such districts until a reapportionment is made as herein
47 provided, except that if the statement is not filed within six months of the time
48 fixed for the appointment of the commission, it shall stand discharged and the
49 **[senate] legislative districts** shall be apportioned by a commission of six
50 members appointed from among the judges of the appellate courts of the state of
51 Missouri by the state supreme court, a majority of whom shall sign and file its
52 apportionment plan and map with the secretary of state within ninety days of the
53 date of the discharge of the apportionment commission. Thereafter senators **and**
54 **representatives** shall be elected according to such districts until a
55 reapportionment is made as herein provided.

56 Each member of the commission shall receive as compensation fifteen
57 dollars a day for each day the commission is in session, but not more than one
58 thousand dollars, and, in addition, shall be reimbursed for his **or her** actual and
59 necessary expenses incurred while serving as a member of the commission.

60 No reapportionment shall be subject to the referendum.

Section 8. No one shall be elected to serve more than **[eight] sixteen**
2 years total in any one house of the General Assembly nor more than sixteen years
3 total in both houses of the General Assembly. **No person shall run for office**
4 **for either house of the General Assembly if such person is prohibited**
5 **from completing a full term in office as a representative or senator by**
6 **the time limitations of this section.** In applying this section, service in the
7 General Assembly resulting from an election prior to December 3, 1992, or service
8 of less than one year, in the case of a member of the house of representatives, or
9 two years, in the case of a member of the senate, by a person elected after the
10 effective date of this section to complete the term of another person, shall not be
11 counted.

Section 9. Until the convening of the **[Seventy-fourth] One hundred**
2 **second** General Assembly the House of Representatives shall consist of one

3 hundred sixty-three members elected from the one hundred sixty-three
4 representative districts **and the senate shall consist of thirty-four members**
5 **elected from the thirty-four senatorial districts**, as they existed [January
6 1, 1965] **during the one hundred first general assembly. Beginning with**
7 **the one hundred second general assembly, the house of representatives**
8 **shall consist of one hundred twenty members pursuant to section 2 of**
9 **this article and the senate shall consist of forty members pursuant to**
10 **section 5 of this article.**

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Bill

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